

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

MARK ANTHONY MELENDEZ,  
Institutional ID No. 2344000

Plaintiff,

v.

No. 5:21-CV-00060-H

DOE DEFENDANT NO. 1, *et al.*,

Defendants.

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. Plaintiff filed objections,<sup>1</sup> and the Court conducted a de novo review of the relevant portions of the record and the Magistrate Judge's report. The Court concludes the Magistrate Judge's findings and conclusions are correct. Thus, Plaintiff's objections are overruled, and the Court accepts and adopts the findings, conclusions, and recommendation of the Magistrate Judge.

The Court therefore orders that Plaintiff's complaint and all federal claims alleged within it are dismissed with prejudice under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A for failure to state a claim. The Court declines to exercise supplemental jurisdiction over any state-law claims for defamation and any such claims are dismissed without prejudice.

This dismissal will count as a qualifying dismissal or "strike" under 28 U.S.C. § 1915 and *Adepegba v. Hammons*, 103 F.3d 383 (5th Cir. 1996).

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<sup>1</sup> Plaintiff admitted that he filed his objections a few days late. (Dkt. No. 18.) He explained his tardiness, however, and asked that it be excused. (*Id.*) The Court, therefore, accepts the late-filed objections.

All relief not expressly granted and any pending motions are denied.

The court will enter judgment accordingly.

So ordered.

Dated June 30, 2022.

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JAMES WESLEY HENDRIX  
United States District Judge